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EXAMINER
MARSH PHILIP

ART UNIT	PAPER NUMBER
2765	

DATE MAILED: 08/31/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 08/869,872	Applicant(s) rownell, Justin B. Magaram, Sigmund Mandel, An
	Examiner Philip Marsh	Group Art Unit 2765

☒ Responsive to communication(s) filed on *Jun 2, 1997* _____ .

☐ This action is **FINAL.**

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____*3*_____ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) *1-25* _____ is/are pending in the application.

   Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) *1-25* _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐approved ☐disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

   ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

      ☐ received.

      ☐ received in Application No. (Series Code/Serial Number) _____ .

      ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

   *Certified copies not received: _____ .

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit:

DETAILED ACTION

Drawings

1.   This application has been filed with informal drawings which are acceptable for

examination purposes only. Formal drawings will be required when the application is allowed.

Specification

2.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

3.   The following title is suggested: System for Automatically Correcting Payee Names and

Adjusting an Account Balance for a Financial Statement.

Claim Objections

4.   Claims 11, 16, 19, 20, 21, and 24 are objected to because of the following informalities:

As per claim 11, the claim recites in lines 24-25 "(e) ... then calculating a correct opening

balance that is different from said opening balance ...". The examiner respectfully requests that

the first occurrence of the word opening be changed to a synonym (e.g., beginning or starting) to

avoid confusion with the later reference to "said opening balance".

Art Unit:

As per claim 16, the claim recites "... ending balance in a personal data store containing ... said ending balance". The second occurrence of "ending balance" on line 4 is redundant and should be removed.

As per claim 19, on line 29, "... which said transaction ..." should be amended to read "which transaction".

As per claim 20, on line 25, "... which said transaction ..." should be amended to read "which transaction".

As per claim 21, on line 21 the word "payee" should be deleted.

As per claim 24, on line 27 the word "firs" should be amended to read "first".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 4, 5, 9, 14, 15, 18, 19, 20, 21, and 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7.   Claim 4 recites the limitation "said second field parameter" in lines 9 and 13. There is insufficient antecedent basis for this limitation in the claim.

8.   Claim 5 recites the limitation "said field" in line 1. There is insufficient antecedent basis for this limitation in the claim.

9.   Claim 9 recites the limitation "said instructions" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

10.   Claim 14 recites the limitation "said downloaded transaction" in lines 10-11, and line 21 of the claim. There is insufficient antecedent basis for this limitation in the claim. Furthermore, it is unclear what is meant in this claim by "searching for any ... downloaded transaction of said on-line financial statement in said personal data store from the transaction in personal data store ..." in lines 10-12 of the claim. The phrase "from the transaction in personal data store" renders the claim incomprehensible.

11.   Claim 15 recites the limitation "said downloaded transaction" in line 2. There is insufficient antecedent basis for this limitation in the claim.

12.   Claim 18 recites the limitation "said instructions" in lines 1-2, "said downloaded transaction" in lines 11-12, and "said downloaded transactions" in line 22. There is insufficient antecedent basis for these limitations in the claim.

13.   Claim 19 recites the limitation "said downloaded transaction" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

14.   Claim 20 recites the limitation "said downloaded transaction" in line 23. There is insufficient antecedent basis for this limitation in the claim.

15.   Claim 21 recites the limitation "said field parameters" in line 6. There is insufficient antecedent basis for this limitation in the claim. Furthermore, it is unclear how a data structure can manage a display on a display device as claimed on lines 1-3 of the claim.

16.   Claim 25 recites the limitation "the preferred payee name" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 101

17.   Claim 21 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed subject matter in claim 21 is a data structure, which is functional descriptive material. Such material is non-statutory subject matter when claimed as descriptive material *per se*.

Claim Rejections - 35 USC § 102

18.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

19.   Claims 1, 11, 14, 15, 16, 17, 18, 19, 20, 22, 23 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Simmons.

20.   As per claim 1, Simmons teaches a method for substituting parameters of a field in a

display screen area, comprising the steps of:

(a) displaying a first field parameter within the field of the display screen area, as taught

in the abstract, line 8 "... data display ..." and line 9 "... data stored in the first memory ...", and as

shown in Fig. 7 where the "Checkbook Balance" is displayed and is the first field parameter;

(b) receiving an indication that the first field parameter has been changed to a second

field parameter, also taught by Simmons in the abstract, lines 11-12 "... if desired the first data

set is automatically revised to conform to the second data set ...";

(c) creating a link between the first field parameter and the second field parameter for

each occurrence of the first field parameter, as taught by Simmons in the abstract, lines 9-10

"Data stored in the first memory is compared with data stored in the second memory and

discrepancies are identified ..." and in column 17, line 56 "transaction matching" which requires

such a link between various transactions, or parameters; and

(d) displaying the second field parameter in the place of the first field parameter within

the field of the display screen area, shown in Fig. 7 where the "Bank Balance" is this second field

parameter.

21.   As per claim 11, Simmons teaches a method for reconciling an ending balance in a

personal data store with an on-line financial statement by correcting an opening balance in the

personal data store comprising the steps if:

(a) displaying said personal data store containing said opening balance, a plurality of transactions organized by date, and said ending balance (Simmons teaches a "Checkbook Display" in Fig. 7, and "... automatic display means associated with said first processing means ..." in column 19, lines 21-22.);

(b) downloading said on-line financial statement containing a plurality of transactions organized by date an ending period and an ending balance (Simmons teaches a "... receiving means operable for receiving said first set of individual bank account transaction data ..." in column 21, lines 28-30.);

(c) comparing the earliest dated transaction in said personal data store to the earliest dated transaction in said on-line financial statement to determine whether the earliest dated transaction in said personal data store is later than the earliest dated transaction in said on-line financial statement (Simmons teaches in column 19, lines 49-55 a "... clock means ... for generating data identifying the time and date that each ... transaction is entered ... for use by the discrepancy identification ..." and column 20, lines 44-49 where a "transaction synchronization means ..." is disclosed.);

(d) determining whether any of said transactions of said on-line financial statement have been downloaded into said personal data store (Simmons teaches in column 19, lines 8-11 a "comparison means operatively connected to receive said first set of data and said second set of data for electronically comparing said first set of data and said second set of data".);

(e) calculating a correct beginning balance that is different from said opening balance in said personal data store (Simmons teaches in column 19, lines 12-16 an "electronic and automatic discrepancy identification means responsive to said comparison means for electronically and automatically identifying discrepancies between said first set of data and said second set of data" and in column 19, lines 26-29 and lines 63-68 an "electronic and automatic editing means associated with said first processing means for electronically and automatically revising said first set of data to conform to said second set of data", where the "first set of data" is the personal data store and the "second set of data" is the on-line financial statement.); and

(d) displaying said correct opening balance (shown in Fig. 7 as "checkbook balance" and "bank balance" and further taught by Simmons in column 19, lines 21-24 as a "... display means ... [for] automatically displaying said identified discrepancies ...".).

22.   As per claim 14, Simmons teaches the method of claim 11, wherein said step of determining whether any of said transactions of said on-line financial statement have been downloaded into said personal data store comprises the steps of:

comparing said ending balance in said on-line financial statement to said transactions in said personal data store to determine whether any transaction date in said personal data store to determine whether any transaction date in said personal data store is the same as said ending period of said on-line financial statement (Shown in Fig. 6, items 217, 218, and 219 where the current transactions are loaded along with the balance and previous statement date, from which

the new statement balance is calculated and sent to the personal data store. This includes

transactions that occur on or near the actual statement date);

searching for any transaction of said on-line financial statement in said personal data store

having the same date as said ending period of said on-line financial statement backward to said

earliest dated transaction in said personal data store (see also Fig. 6, items 217, 218, and 219);

and

locating the closest transaction date in said personal data store that occurs before said

ending period of said on-line financial statement and searching for any downloaded transactions

of said on-line financial statement in said personal data store from said closest transaction date in

said personal data store from said closest transaction date in said personal data store backward to

said earliest dated transaction in said personal data store (see also Fig. 6, items 217, 218,

and 219).

23.   As per claim 15, Simmons teaches the method of claim 14, wherein a downloaded

transaction of said on-line financial statement is designated by a flag to indicate which said

transaction of said plurality of transactions in said personal data store has been downloaded from

said on-line financial statement (in the abstract, Simmons shows a first and second set of data,

which are flagged by storage in a first and second memory, respectively).

24.   As per claims 16 and 17, Simmons teaches a computer system for reconciling an ending

balance in a personal data store containing an opening balance, and a plurality of transactions

organized by date with an on-line financial statement by correcting said opening balance in the

personal data store comprising:

a processing unit (PU) (column 19, 1-3 "second processing means ...")

an input device connected to said PU (column 19, lines 35-40 "a manual entry means

associated with first processing means ..." which is connected to the "second processing means"

as shown in column 19, lines 4-7 "... communication means ... from said first processing means

to said second processing means ...";

a memory storage device for storing a program module (abstract, "first memory" and

"second memory"; and

a display device, coupled to said PU, for displaying said opening balance (Fig. 7 as

previously discussed herein);

said PU, responsive to instructions from said program module running on said computer

system, being operative to:

(a) download into said memory storage device said on-line financial statement containing

a plurality of transactions organized by date, and ending period, and an ending balance (Fig. 6,

items 217 and 218);

(b) compare the earliest dated transaction in said personal data store to the earliest dated

transaction in said on-line financial statement to determine whether the earliest dated transaction

in said personal data store is later than the earliest dated transaction in said on-line financial

statement (Fig. 6, items 217, 218, and 219 and column 19, lines 49-55);

(c) determining whether any of said transactions of said on-line financial statement have been downloaded into said personal data store (column 19, lines 8-11 "comparison means ... to receive said first set of data and said second set of data for electronically comparing said first set of data and said second set of data); and

(d) calculating a correct opening balance that is different from said opening balance in said personal data store by subtracting the sum of all said transactions in said on-line financial statement from said ending balance in said on-line financial statement (column 20, lines 44-49).

being operative to display said correct opening balance on said display device and display a prompt indicating that said opening balance has changed to said correct opening balance in said personal data store on said display device (see abstract, Fig. 7, and column 19, lines 17-20 "... display means ... for electronically and automatically displaying said identified discrepancies ...")

25.   As per claim 18, Simmons teaches a computer system of claim 16, wherein are included the steps of:

comparing said ending balance in said on-line financial statement to said transactions in said personal data store to determine whether any transaction date in said personal data store is the same as said ending period of said on-line financial statement (abstract "data stored in the first memory is compared with data stored in the second memory and discrepancies are identified");

searching for any downloaded transaction of said on-line financial statement in said personal data store from the transaction in said personal data store having the same date as said

ending period of said on-line financial statement backward to said earliest dated transaction in

said personal data store (see Fig. 6, items 217, 218, and 219 as previously discussed); and

locating the closest transaction date in said personal data store that occurs before said

ending period of said ending period of said on-line financial statement and searching for any

downloaded transactions of said on-line financial statement in said personal data store from said

closest transaction date in said personal data store backward to said earliest dated transaction in

said personal data store (see Fig. 6, items 217, 218, and 219 as previously discussed).

26.   As per claim 19, Simmons teaches the computer system of claim 18, wherein a

downloaded transaction of said on-line financial statement is designated by a flag to indicate

which transaction of said plurality of transactions in said personal data store has been

downloaded from said on-line financial statement (in the abstract, Simmons shows a first and

second set of data, which are flagged by storage in a first and second memory, respectively).

27.   As per claim 20, Simmons teaches a computer-readable medium on which is stored a

program module for reconciling an ending balance in a personal data store with an on-line

financial statement by correcting an opening balance in the personal data store, said program

module comprising instructions which, when executed by a computer, perform the steps of:

(a) displaying said personal data store containing said opening balance, a plurality of

transactions organized by date, and said ending balance (Fig. 7, "Checkbook Balance");

(b) downloading said on-line financial statement containing a plurality of transactions

organized by date, an ending period, and an ending balance (Fig. 6, items 217, 218, and 219);

(c) comparing the earliest dated transaction in said personal data store to the earliest dated

transaction in said on-line financial statement to determine whether the earliest dated transaction

in said personal data store is later than the earliest dated transaction in said on-line financial

statement (Fig. 6, items 217, 218, and 219 and abstract);

(d)determining whether any of said transactions of said on-line financial statement have

been downloaded into said personal data store, wherein a downloaded transaction of said on-line

financial statement is designated by a flag to indicate which transaction of said plurality of

transactions in said personal data store has been downloaded from said on-line financial

statement (column 19, lines 8-11 "comparison means ... to receive said first set of data and said

second set of data for electronically comparing said first set of data and said second set of data

and abstract, where items are flagged according to memory in which they are stored, as

previously discussed);

(e) calculating a correct opening balance that is different from said opening balance in

said personal data store by subtracting the sum of all said transactions in said on-line financial

statement from said ending balance in said on-line financial statement (column 20, lines 44-49);

and

(f) displaying said correct opening balance (Fig. 7, "Bank Balance").

28.   As per claim 22, Simmons teaches a method for automatically correcting payee names,

comprising the steps of:

(a) downloading an on-line financial statement comprising original payee names from an on-line banking service (column 19, lines 4-7);

(b) determining that a first one of the original payee names has been changed to a substitute payee name (column 19, lines 12-16 and column 17, lines 32-39 where payee name is included among the types of data that may have discrepancies); and

(c) responsive to determining that the first payee name has been changed to the substitute payee name, replacing the first payee name with the substitute payee name and displaying the substitute payee name within a payee field of a display screen for each occurrence of the first payee name (abstract, column 19, lines 30-33 and column 17, lines 32-39).

29.   As per claim 23, Simmons teaches the method of claim 22, wherein the step of determining that the first payee has been changed to a substitute payee name comprises receiving an indication that the first payee name has been changed to the substitute payee name based on a link (see paragraph 20 above) between the first payee name and the substitute payee name for each occurrence of the first payee name (abstract, column 19, lines 30-33 and column 17, lines 32-39).

30.   As per claim 24, Simmons teaches the method of claim 23, wherein the step of replacing the first payee name with the substitute payee name comprises displaying the substitute payee name in the place of the first payee name within the payee field in response to the link pointing to the substitute payee name in response to the link pointing to the substitute payee name from each occurrence of the first payee name (column 19, lines 30-33 and column 17, lines 32-39).

Claim Rejections - 35 USC § 103

31.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

32.   Claims 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 21, and 25 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Simmons.

33.   As per claims 2, 4, 6 and 8, all limitations of these claims are taught by Simmons, as

discussed in paragraph 20 above, except for the incorporation of a third field parameter, and

substitution of the first field parameter in place of the third for display purposes if a link exists,

otherwise displaying the first. However, 'Official Notice' is taken that the incorporation of

multiple field parameters using links is common practice in the art of spreadsheets, as is the use

of new field parameters in place of old field parameters for which the new field parameters have

been substituted, whether it be in display or calculation. It would have been obvious to one of

ordinary skill in the art to combine the common use of spreadsheet technology in concert with

what is taught by Simmons to develop a method according to claim 1 that incorporates a third

field parameter, and substitutes this parameter in display or calculation when it is different from

the first field parameter. Furthermore, while Simmons does not explicitly disclose a third

parameter, a second parameter that has the same function as the third parameter in this claim is

taught. It would have been obvious to one of ordinary skill in the art to allow for this second

parameter to be used multiple times, which would allow for a third, fourth, fifth, etc., field

parameter. As to dummy fields and dummy tables, this is equivalent to the "first data set" and

"first memory" respectively as taught by Simmons in the abstract.

34.   As per claims 3 and 25, Simmons teaches all of the limitations of these claims, as

discussed in paragraph 31 above, except the concept of a preferred payee name. However, this

would have been obvious to one of ordinary skill in the art because Simmons teaches, in

column 17, lines 32-39 and column 18, lines 29-37, that "payee records" are set up and stored,

and "payee information" is retrieved". It is common practice in setting up a vendor database to

place within such a database names of vendors with which one does business often, or which are

considered "preferred".

35.   As per claim 5, Simmons teaches all of the limitations of the claim, as discussed in

paragraphs 28 and 31 above, except that the third field parameter may be a payee name.

However, this would have been obvious to one of ordinary skill in the art because such an

allowance is made for a first and second field parameter (see paragraph 28 above) and it is

reasonable that such an allowance would be made for any number of additional field parameters

to be used in conjunction with the disclosed invention of Simmons.

36.   As per claims 7, 10 and 21, Simmons teaches all of the limitations of the claims (see

paragraphs 20 and 31 above) except that the concept of active and dummy tables are not

explicitly introduced. However, it would have been obvious to one of ordinary skill in the art

that the "first data set" and "second data set" taught by Simmons in the abstract can be used as active and dummy tables because only one data set can be accessed at a time (an active table) and only one data set can be used in the eventual calculation of the customer's account balance, which makes the other data set a "dummy table".

37. As per claim 9, Simmons teaches all of the limitations of the claim (see paragraphs 20 and 31 above) except the distinction between whether field parameters were in the dummy table or the active table pursuant to displaying said field parameters. However, it would have been obvious to one of ordinary skill in the art that a determination between which data memory the field parameters occupied prior to display of the parameters to be displayed. Simmons teaches in Fig. 7 that both a "Bank Balance" and a "Checkbook Balance" are to be displayed, and for such delineation, it is required that deliniation between which data set these parameters belong to would need to be made.

38. As per claims 12 and 13, Simmons teaches all of the limitations of these claims, except that a "correct opening balance" is to be calculated by subtracting all of the transactions contained in an on-line statement (see paragraphs 20-28 above). However, it would have been obvious to one of ordinary skill in the art to calculate an opening balance by subtracting all of the transactions contained in an on-line statement from an ending balance for comparison and correction because Simmons teaches that a comparison of all discrepancies is to be made that are to be corrected if desired by the user (abstract; column 19, lines 17-25). Also, Simmons makes a provision for reading the previous balance, which would correspond to a previous opening

balance, or a correct opening balance. Simmons also teaches a prompt to display discrepancies

(column 19, lines 21-25) and the option for the user to change such discrepancies and to be

notified at such reconciliation (column 19, lines 26-33), as with a changing the opening balance.

Conclusion

39.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Stoller: 5,740,427

Ure: 5,258,935

Brown et al.: 5,193,055

Dunn et al.: 5,134,564

Grossman et al.: 4,910,696

Wilkow: 4,423,321

Any inquiry concerning this communication or earlier communications from the examiner should

be directed to Philip Marsh whose telephone number is (703) 305-0434.

Philip W. Marsh

August 26, 1998

ALLEN R. MACDONALD
SUPERVISORY PATENT EXAMINER